

**REMARKS**

In the Office Action<sup>1</sup>, the Examiner rejected claims 21-25 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. US 2002/0143805 to Hayes et al. ("Hayes"); rejected claims 1-3, 6-8 and 15-20 under 35 U.S.C. § 103(a) as being unpatentable over Hayes; and rejected claims 5 and 9-14 under 35 U.S.C. § 103(a) as being unpatentable over Hayes in view of Japanese Patent No. JP 09-023487 to Hideyuki ("Hideyuki").

Upon entry of this amendment, claims 1-3, 5-19, and 21-24 will remain pending and under current examination. Applicant amends claims 1, 6, 18, 19, 21, 23, and 24.

Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of claims 1-3, 6-8, and 15-20 under 35 U.S.C. § 103(a) as being unpatentable over Hayes. A *prima facie* case of obviousness has not been established at least because the differences between the prior art and Applicant's claims are such that it would not have been obvious for one of ordinary skill in the art at the time of the invention to modify the prior art to arrive at Applicant's claimed invention.

Independent claim 1, for example, recites a control apparatus controlling an information processing apparatus, including "detecting means for detecting when a first information processing apparatus moves outside a range for the wireless communication; and clearing means for clearing the display of the operation screen information for the first information processing apparatus when the first information

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<sup>1</sup> The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

processing apparatus moves outside the range.” Hayes fails to teach or suggest the claimed “detecting means” and “clearing means,” as recited by claim 1.

Hayes discloses that “the main-menu sub-application waits 500 waits for an event . . . [such as] a user key press[, which] produces a new display.” Hayes, paragraph 118. Waiting for a user to press a key before producing a display, as disclosed by Hayes, does not constitute a teaching or suggestion of “detecting when a first information processing apparatus moves outside a range for the wireless communication; and clearing means for clearing the display of the operation screen information for the first information processing apparatus when the first information processing apparatus moves outside the range,” as recited by claim 1 (emphasis added). By clearing the display of operation screen information “when the first information processing apparatus moves outside the range,” the claimed control apparatus avoids having a user become frustrated when requesting a command for a device that is out of range, such as requesting a channel change for a television. Moreover, as a user moves, the user is presented with operation screens for information processing apparatuses that can be controlled by the control apparatus.

Because Hayes does not teach or suggest each and every element recited by claim 1, and because one of ordinary skill in the art would not have modified Hayes to arrive at Applicant’s claimed invention, no *prima facie* case of obviousness has been established for claim 1. Claims 18 and 19, although of different scope than claim 1, patentably distinguish from Hayes for at least the same reasons as claim 1. Claims 2, 3, 6-8, and 15-17 depend from claim 1 and therefore require all of the elements recited therein. Accordingly, Applicant respectfully requests that the Examiner reconsider and

withdraw the rejection of claims 1-3, 6-8, and 15-19 under 35 U.S.C. § 103(a) as being unpatentable over Hayes.

Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of claims 5 and 9-14 under § 103(a) as being unpatentable over Hayes in view of Hideyuki. Claims 5 and 9-14 depend from claim 1 and therefore include all of the elements recited therein. As discussed above, Hayes fails to teach or suggest each and every element recited by claim 1 and required by claims 5 and 9-14. Hideyuki fails to cure the deficiencies of Hayes, nor does the Examiner rely on Hideyuki for such teachings. Accordingly, no *prima facie* case of obviousness has been established for claims 5 and 9-14. Applicant therefore respectfully requests that the Examiner reconsider and withdraw the rejection of claims 5 and 9-14 under 35 U.S.C. § 103(a) as being unpatentable over Hayes in view of Hideyuki.

Applicant respectfully traverses the rejection of claims 21-24 under 35 U.S.C. § 102(e) as being anticipated by Hayes. Independent claims 21- 24, although of different scope than claim 1, patentably distinguish from Hayes for at least the same reasons as discussed with respect to claim 1. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of claims 21-24 under § 102(e).

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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